IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

Bail Appl..No. 6588 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.6053/2007 Dated 08/10/2007
CMP.1578/2007 of J.M.F.C.-II, SULTHANBATHERY
[CRIME NO.185/07 OF PULPALLY POLICE STATION]

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: PETITIONER/6TH ACCUSED

T.T.KURIYAK0SE,S/O. THOMAS, AGED 43
THOTTATHIL HOUSE, CHEEYAMBAM,
PULPALLY, WAYANAD DISTRICT.

BY ADV. SRI.N.J.ANTONY

RESPONDENTS: COMPLAINANT/STATE

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1. SUB INSPECTOR OF POLICE
PULPALLY.

2. STATE OF KERALAL REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6588 of 2007

Dated this the 7th day of November 2007

O R D E R

Application for regular bail. The petitioner is the sixth accused. He faces allegations under the Kerala Abkari Act. The crux of the allegations is that the petitioner was responsible for transportation of a large quantity of spirit in a lorry which was found available in his locality on 29/6/2007. The petitioner was arrested on 17/9/2007. His application for regular bail was dismissed as per order dated 8/10/2007 in B.A.No.6053/2007. I have adverted to facts in detail in the earlier bail applications filed by this petitioner as also some of the co-accused. I am not hence adverting to facts in any greater detail. The investigation is at a very early stage. There is no prospect of the investigation being completed by 17/11/2007 by which date the petitioner will be entitled to regular bail by default - if the investigation is completed by then. I am, in these circumstances, satisfied that as agreed, regular bail can be granted to the petitioner with effect from 17/11/2007 subject to appropriate conditions.

2. This petition is accordingly allowed. The petitioner shall be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 16/11/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.2,00,000/- (Rupees two lakhs only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall, after his release from custody, make himself available for interrogation before the S.H.O, Pulpally police station between 10 a.m and 12 noon on all Mondays, Wednesdays and Fridays for a period of three months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007